

The CONGRESSIONAL DIGEST

PRO & CON



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No. 5

FEATURES

THIS MONTH

The Lehlbach "Reclassification" Bill

Peyote— Its Prohibition

New Health and Education Bills

Congressional Terms Explained

The Congressional Digest Service

ANNOUNCEMENT

This magazine was formerly known as "The Capitol Eye". The name was changed to "The Congressional Digest" to express more definitely the purpose for which the magazine was created and to describe more clearly its content. The policy of presenting all sides of an issue and furnishing the public with facts about Congress and the making of federal laws, remains unchanged.

THE CONGRESSIONAL DIGEST ANNOUNCES FOR MARCH:

Status in Congress of Important Legislation Affecting Public Health and Education.

A Discussion of the Capper-Volstead "Co-operative Marketing" Bill.

A Discussion of the Dyer "Anti-lynching" Bill.

The "Bloc System" in Congress Explained.

Digest of "The Congressional Record", Official Publication of The U. S. Congress.

Digest of "The Congressional Directory", Official Publication of The U. S. Congress.

The CONGRESSIONAL DIGEST

Pro & Con

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CONGRESS

The United States Congress is composed of two branches, the Senate with 96 members and the House of Representatives with 435 members. Every bill must pass both branches to become a law.

The present Congress is the 67th Congress. The First Session of the 67th Congress convened on April 11, 1921, recessed August 24th, until September 21, and adjourned on November 23, 1921. The Second Session of the 67th Congress convened on December 5, 1921, and will probably continue into the summer.

The Republican Party has control of both branches of the 67th Congress. The Senate membership is made up of 59 Republicans, 36 Democrats and 1 Progressive-Republican. The House membership is made up of 299 Republicans, 131 Democrats, and 1 Socialist. (four vacancies.)

13,231 bills, exclusive of *resolutions, have been introduced in the 67th Congress since April 11th. 10,155 of these were introduced in the House of Representatives and 3,076 in the Senate.

At the end of the first session 70 House bills and 15 House Joint Resolutions, had become laws. Since all bills and resolutions carry over from one session to the next in the same Congress, there are still over 10,000 bills (in addition to new ones being introduced daily), before this Congress. Most of these are awaiting action by the Committees to which they have been referred.

When a measure is reported out by a Committee it takes its place on what is known as the *Calendar. There are 210 such measures listed for action on the House Calendar and 158 on the Senate Calendar. It is with these bills that Congress is chiefly concerned.

In order to facilitate action on these measures and "steer" them through to a final disposition, a program is prepared by what is known in Congress as the "Steering Committees," which are composed of party leaders. There is a Republican Steering Committee in the Senate and one in the House. There is likewise a Democratic Steering Committee in the Senate and one in the House. The Republican Steering Committee, being in control formulates the actual program, followed by this Congress. The Democratic Steering Committees although they have a program of their own "steer" the opposition, particularly to the Republican measures. This party line-up is often broken down and in the present Congress has been challenged by the "Bloc" system, which will be explained in the next number of *The Congressional Digest*.

On January 25, 1922, the Republican Steering Committees of the Senate and House held a joint meeting to discuss the program for the balance of this session of Congress. While no definite agreement was reached there was an understanding between the two committees that the program could be so arranged that Congress might adjourn early in June.

As this Congress was called together in extra session for the consideration of the revenue and tariff bills and as the tariff bill has not been disposed of it will naturally have first consideration. It has passed the House and will probably be reported to the Senate sometime in February, by the Senate Finance Committee to which it was referred.

The following measures will also have the immediate attention of both branches of Congress: The bills to facilitate cooperative marketing, the reclamation of arid lands, adjustment of foreign loans, soldier bonus, merchant marine, reorganizing of the various departments of the Government, the reclassification of federal employees (discussed in this issue), the armament conference treaties and the annual appropriation bills.

The Steering Committees meet every week or ten days and as soon as the tariff bill is reported to the Senate, the program for the balance of the session will become more definite.

Representative Mondell, floor leader of the House, is chairman of the Republican Steering Committee of the House and Senator Lodge, floor leader of the Senate, is chairman of the Republican Steering Committee of the Senate. In the absence of Senator Lodge Senator Curtis, Republican *whip, presides at the Joint meetings of the Republican Steering Committees.

The Republican Steering Committee of the Senate is composed of the following members:

Henry Cabot Lodge of Mass., ex officio.	Joseph S. Frelinghuysen of New Jersey.	James W. Wadsworth, Jr., of New York.
Robert M. LaFollette of Wisconsin.	Medill McCormick of Illinois.	Joseph I. France of Maryland.
Bert M. Fernald of Maine.	Charles Curtis of Kansas, ex officio.	Frank B. Kellogg of Minnesota.

The Republican Steering Committee of the House is composed of the following members:

Frank W. Mondell of Wyoming, Ch'm.	Frank L. Greene of Vermont.	Thomas B. Dunn of New York.
Nicholas Longworth of Ohio.	Everett Sanders of Indiana.	Sydney Anderson of Minnesota.
George P. Darrow of Pennsylvania.	Fred. H. Gillett of Mass., ex officio.	John I. Nolan of California.

The Democratic Steering Committee of the Senate is composed of the following members:

Oscar W. Underwood of Alabama.	Claude A. Swanson of Virginia.	Peter G. Gerry of New York.
Thomas J. Walsh of Montana.	Key Pittman of Nevada.	Ellison D. Smith of South Carolina.
Duncan U. Fletcher of Florida.	Gilbert M. Hitchcock of Nebraska.	John Sharp Williams of Mississippi.
	Joseph T. Robinson of Arkansas.	

The Democratic Steering Committee of the House is composed of the following members:

Claude Kitchin of North Carolina.	Whitnell P. Martin of Louisiana.	John F. Carey of New York.
James W. Collier of Mississippi.	John N. Graner of Texas.	Peter F. Tague of Massachusetts.
Charles R. Crisp of Georgia.	William A. Oldfield of Arkansas.	

*See *The Glossary*, Page 19.

PUBLIC ECONOMY SECTION

History of Reclassification Legislation

Notwithstanding the growth and extension of the Executive Departments of the Federal Government there has not been a change in the classification of Federal employees since 1856. The salary scale has remained the same except for occasional changes managed somehow by the department heads to escape the rigidity of the statutory rates.

During the Cleveland administration the Civil Service Commission was established to abolish the so-called "Spoils System" and to set up a system of examinations.

The question of the condition of the civil service was again taken up in the administrations of Roosevelt and Taft, and a commission was appointed by President Taft to investigate the situation and make a report. This report was made but never acted upon in the form of legislation. Nothing further was done by the Government in the matter until 1917 when the war workers began pouring into Washington. As an emergency measure Congress granted to certain Federal employees a five and ten percent bonus. In 1918 this was stabilized to \$120 a year for all Federal employees receiving less than \$2500 a year. In 1919 this amount was increased to \$240 as an expedient until an official classification of all civilian positions in the government service, which was under consideration, could be accomplished.

As a result of agitation by the Federal employees organized into the National Federation of Federal Employees, Congress *passed a bill which provided for the appointment of a Joint Congressional Reclassification Commission which should make a thorough investigation of the status of the government employees.

This Commission, composed of three Senators and three Representatives was appointed in March, 1919, and with the help of a staff of experts spent a year in the work of examining the subject of the reclassification of the civilian employees of the Federal government. On March 22, 1920, this commission's report, which consisted of 1,000 pages, with a *bill based on its findings, was presented by Senator Jones of New Mexico, chairman of the commission, to the Senate Committee on Appropriations. A similar bill introduced by Representative Lehlbach of New Jersey accompanied the report which was made to the House Committee on Reform in the Civil Service. A *report was never made by either committee and the bills died with the 66th Congress.

In the following Congress the Senate bill (S. 13), conforming to the commission's report, but with many changes and greatly simplified, was re-introduced under Republican auspices by Senator Sterling of South Dakota, chairman of the Senate Committee on Civil Service. The House bill, conforming to the Commission report, likewise changed and simplified, was again sponsored by Representative Lehlbach and introduced as H. R. 8928. Representative Lehlbach is a Republican and the chairman of the House Committee on Civil Service.

At the same time Senator Smoot of Utah introduced another reclassification bill, S. 1079, which was based on a report of the condition of the civil service made by the United States Bureau of Efficiency. A bill, H. R. 2921, covering the same report was introduced in the House by Representative Wood of Indiana. The present battle over a reclassification law is being waged in Congress over these two sets of bills, the Sterling and Lehlbach bills which are similar in principle and the Smoot and Wood bills which correspond in principle. The Sterling and Lehlbach bills are designed to make effective the Civil Service Commission and to establish the principles of a merit system of appointment and promotion in civil service. The Smoot and Wood bills are designed to regulate and standardize salaries without defining too closely the jobs, and placing the matter of allocation and promotion in the hands of the administration officers of the departments rather than in the hands of the Civil Service Commission. Another reclassification bill, H. R. 2487, introduced by Representative Fairfield of Indiana follows closely the original Jones bill of the previous Congress.

Joint Congressional hearings on all of these bills were held from May 17 to June 16, 1921, before the Senate Committee on Civil Service and the House Committee on Reform in the Civil Service. More than a hundred persons testified at these *hearings in support of the Sterling and Lehlbach bills. When this fact was called to the attention of a Senator supporting the principles of the Smoot and Wood bills he replied: "Don't worry; our side will have its innings when the matter reaches the floor of the Senate."

On November 3, 1921, the Lehlbach bill, H. R. 8928 was reported out by the House Committee on Reform in the Civil Service and after considerable debate on the floor of the House passed the House of Representatives on December 15, 1921, by a vote of 244 to 65.

The bill as *amended was *referred to the Senate Committee on Civil Service. This committee which has before it the Smoot and Sterling bills will probably reconcile these bills to the Lehlbach bill, as passed by the House, in order to report out the Lehlbach bill to the Senate. If the Senate passes the House bill it will obviate the need for the Senate bill to be later passed by the House, since it is necessary for both branches to pass a bill before it becomes a law.

The Senate Committee on Civil Service is expected to make its report to the Senate early in February.

*See The Glossary, Page 19.

Outline of Lehlbach Reclassification Bill

H. R. 8928, AS AMENDED AND PASSED BY THE HOUSE OF REPRESENTATIVES

APPLICATION

The compensation schedules shall apply to civilian employees in the departments within the District of Columbia, and (in the field services—see paragraph 5 below.)

ADMINISTRATION

The head of each department shall allocate all positions in his department in the District of Columbia to their appropriate grades in the compensation schedules and shall fix the rate of compensation of each employee thereunder, in accordance with the rules prescribed. In making such allocations the heads of departments shall consult with the Civil Service Commission and the Bureau of Efficiency and shall avail themselves of all pertinent information in the possession of both bodies. Such allocations and rates of compensation shall be reviewed and may be revised by the Bureau of the Budget and shall become effective upon their approval by said bureau.

The Bureau of the Budget, in order effectively to review, revise, and approve allocations, may make all necessary rules and regulations not inconsistent with the provisions of this Act and provide such subdivisions of services, titles of positions, and definitions of duties as it may deem necessary.

The Bureau of the Budget may divide the positions in a grade into divisions according to the difficulty of the work performed, and may fix minimum and maximum rates of compensation for such divisions within the salary range of such grade.

Whenever an existing position or a position hereafter created by law shall not fairly and reasonably be allocable to one of the grades of the several services described in the compensation schedules, the Bureau of the Budget shall adopt for such position the range of compensation prescribed for a grade, or a division thereof, comparable therewith as to qualifications and duties.

The Bureau of the Budget shall report to Congress as soon as practicable following the passage of this Act schedules of positions, grades, and salaries for the field services, which shall follow the principles and rules of the compensation schedules in so far as these are applicable to the field services. This report shall include a list prepared by the head of each department allocating all of the field positions in his department to their appropriate grades in said schedules and fixing the proposed rate of compensation of each employee thereunder in accordance with the rules prescribed herein.

The Civil Service Commission, after consultation with the heads of departments, shall establish uniform systems of efficiency which shall constitute ground for (a) increase in the rate of compensation for employees who have not attained the maximum rate of the class to which their positions are allocated, (b) continuance at the existing rate of compensation without increase or decrease, (c) decrease in the rate of compensation for employees who at the time are above the minimum rate for the class to which their positions are allocated, and (d) dismissal.

The head of the department shall rate, in accordance with such systems, the efficiency of each employee under his control or direction. Such current ratings for each grade shall be open to inspection by the representatives of the Civil Service Commission and by the employees of the department under conditions to be determined by the Civil Service Commission after consultation with the department heads.

The estimates of the expenditures and appropriations set forth in the Budget to be transmitted by the President to Congress on the first day of the next ensuing regular session shall conform to the classification herein provided, and the rates of salary in the compensation schedules shall not become effective until the first day of the fiscal year estimated for in such Budget.

RULES

In determining the compensation to be established for the several employees the following rules shall govern:

1. In computing the existing compensation of an employee, any bonus which the employee receives shall be included.
2. If the employee is receiving compensation less than the minimum salary of the grade or division thereof in which his duties fall, the compensation shall be increased to that minimum rate.
3. If the employee is receiving compensation within the range of salary prescribed for the appropriate grade at one of the rates fixed therein no change shall be made in the existing compensation.
4. If the employee is receiving compensation within the range of salary prescribed for the appropriate grade, but not at one of the rates fixed therein, the compensation shall be increased to the next higher rate.
5. If the employee is receiving compensation in excess of the range of salary prescribed for the appropriate grade, the compensation shall be reduced to the rate within the grade nearest the present compensation.
6. All vacant or new positions shall be filled at the minimum rate of the appropriate grade or division thereof.
7. In determining the rate of compensation which an employee shall receive the principle of equal compensation for equal work irrespective of sex shall be followed.

Increases in compensation shall be allowed only upon the attainment and maintenance of the appropriate efficiency ratings; to the next higher rate within the salary range of the grade; and not more than once a year: Provided, That in any case wherein a specific recommendation is made by the Bureau of the Budget and the Congress specifically appropriates the money therefor, an increase in compensation may be allowed at any time to any rate within the salary range of the grade. And for such appropriation by Congress this provision shall be sufficient authority.

Reductions in compensation and dismissals shall be made by heads of departments in all cases whenever the efficiency ratings warrant, as provided herein, subject to the approval of the Civil Service Commission.

SCHEDULES

The compensation schedules shall be as follows:

1. Professional Service—shall include six grades. The annual rate of compensation for classes of positions in these grades, shall range from \$1,320 to \$6,600, unless a higher rate is specifically authorized by law.
2. Subprofessional Service—shall include six grades. The annual rates of compensation for classes of positions in these grades shall range from \$240, with maintenance or the cash value of such maintenance, to \$3,180.
3. Clerical Service—shall include seven grades. The annual rates of compensation for classes of positions in these grades shall range from \$1,080 to \$4,740 unless a higher rate is specifically authorized by law.
4. Institutional Service—shall include seven grades. The annual rates of compensation for classes of positions in these grades shall range from \$420 with maintenance to \$2,100 in case maintenance is provided or to \$2,940 in case maintenance is not provided.
5. Custodial Service—shall include seven grades. The annual rates of compensation for classes of positions in these grades shall range from \$720 to \$2,760.
6. Inspectional Service—shall include six grades. The annual rates of compensation for classes of positions in these grades shall range from \$1,320 to \$5,100.
7. Police and Criminal Investigation Service—shall include nine grades. The annual rates of compensation for classes of positions in these grades shall range from \$1,460 to \$5,700, unless a higher rate is specifically authorized by law.
8. Fire Service—shall include seven grades. The annual rates of compensation for classes of positions in these grades shall range from \$1,560 to \$5,100.

*Report of House Committee on Reform in the Civil Service to accompany H. R. 8928,
committed to the Committee of the Whole House, November 3, 1921.*

The Committee on Reform in the Civil Service, to which was referred H. R. 8928, reports the same to the House with the recommendation that the bill as amended be passed.

The need for a comprehensive classification of the civilian employees of the Government for the purpose of equalizing and standardizing compensation and providing for a uniform and equitable system of promotions is universally acknowledged. By the act of March 1, 1919, a Joint Commission on Reclassification of Salaries was created, which reported to the Houses of Congress on March 12, 1920. The following findings of this commission are unquestioned:

That the salary and wage rates for positions involving like duties and responsibilities and calling for the same qualifications show wide variations and marked inequalities.

That the salary and wage rates for positions of the same class are different in different departments and independent establishments.

That the present system of paying bonuses tends to increase the inequality in salary and wage rates for positions of the same class.

That the Government has no standard to guide it in fixing the pay of its employees and no working plan for relating the salaries to the character and importance of the work.

That the absence of any uniform plan or system for regulating increases in the pay of employees and the lack of any equitable system governing promotions have been factors in causing the disproportion in pay and work.

The purpose of the bill under consideration is to eliminate the causes from which these evils spring.

The bill does not seek to classify by title every position under the Government, but divides the personnel in the departments in the District of Columbia and under the municipal government of the District into the following broad services: Professional, sub-professional, clerical, institutional, custodial, inspectional, police and criminal investigation, and fire service. Each of these services is divided into grades averaging six or seven to a service, with an appropriate salary range for each such grade. These are termed the compensation schedules.

The task of allocating the employees in a department to their proper grades in the service is imposed upon the respective heads of the departments. These allocations, however, are subject to revision by the Bureau of the Budget and shall become effective only upon their approval by said bureau. The Bureau of the Budget, in order effectively to revise and approve allocations, is given reasonable latitude to make necessary adjustments, but may not substantially amend the grades or alter the salary ranges. Your committee was unwilling to intrust to any other agency of the Government than the one directly responsible for administrative expenditures the final review of the work of applying the classification.

The Bureau of the Budget is directed to report to Congress at the session following the passage of this bill a classification of positions in the field analogous to the compensation schedules provided for the employees within the District.

The compensation schedules do not embrace employees in a recognized trade or craft or engaged in skilled labor. It is deemed inadvisable to fix by statute the compensation for such services because of the periodic fluctuation in their market value. Wages of this class of employees shall be fixed and re-adjusted from time to time by a board of three members appointed by the President, whose findings are also subject to revision and approval by the Bureau of the Budget. This is an extension throughout the Government service of the method at present in effect in practically all Government establishments wherein such workers are employed in large numbers, such as the navy yards and arsenals.

All employees are to receive compensation at the lowest rate in the salary range of the grade to which they are allocated, except in such instances where they are at present receiving a higher rate within the range. Advancements in salary within the range of a grade are to be made only upon the attainment of the standard of efficiency prescribed for such increases. Failure to maintain certain prescribed standards of efficiency will result in reduction in pay or dismissal, and such reductions and dismissals are made mandatory upon heads of departments. In order to secure uniformity in this respect, the Civil Service Commission is empowered to consult with the heads of departments, establish systems of efficiency rating, and supervise their application.

Statutory obstacles to a rational system of promotion from grade to grade, when vacancies exist, upon demonstrated fitness for such advance, are removed.

This measure is not intended to be a general salary increase bill but is for the purpose of bringing about a system of standardized compensation. Such increases as may result will fall mainly in the classes at present admittedly underpaid.

If the allocations are made fairly and conscientiously and are closely scrutinized by the reviewing authority, there will be but a slight percentage of increase in the total cost of the Government personnel. Such increase will be more than balanced by the resulting efficiency.

*See The Glossary, Page 19.

The House Discusses the Lehlbach Reclassification Bill

(Dates of House Discussion Nov. 15, 16; Dec. 9, 12, 14, 15, 1921)

Pro

HON. F. R. LEHLBACH,
NEW JERSEY

"The bill provides for equalization of compensation by means of uniform compensation schedules appropriate for the grade and character of work described, but the chief reason for the legislation, the main object sought to be attained by the bill, is making uniform the classifications, the positions, and the equalizing of the pay. However, exact compensation schedules, exact salary ranges are a detail which is of greatly less importance than the necessity for the scheme of reclassification and putting that into effect for the sake of creating order out of the present chaos, in the civil service.

"This bill will provide equality and justice in so far as that is humanly possible, and will also provide opportunity for advancement based on merit, and will in these respects, as well as in other respects, reform, reorganize, and make a rational working organization of the present haphazard, thrown-together civil service which the Government must rely on for its work at this time.

"A system of efficiency ratings based on uniform rules, principles, and methods is provided for, and an employee could only receive an increase in salary if he reaches a standard of efficiency set for the granting of such an increase. There is a standard of efficiency set which if a man does not reach he is demoted or dismissed from the service, and demotion or dismissal from the service is made mandatory on the department heads by this bill in every instance where the employee does not maintain the standard so fixed.

"There is no substantial increase in clerical service at all, but increases come in the positions where scientific and professional attainments are necessary, and where the turnover is constantly hampering the functioning of Government departments, where we have 100 or 150 per cent turnover every two or three years because of the grossly inadequate salaries paid. Any increase resulting from this bill will not be a uniform increase, but will go to those who admittedly are not getting enough at the present time."

**The Senate has not yet discussed the Lehlbach Bill.*

Con

HON. WM. R. WOOD,
INDIANA

"In my opinion, this is the most important and far-reaching measure that will come before Congress, and if I am not mistaken, if the bill is carried out in its terms, it will increase the salaries and the expenses of the Government more than \$8,000,000 a year.

"No proper reclassification plan should be permitted to impair the authority of department heads over their personnel, for the department heads are responsible under the law for the work which the employees do. But this plan takes away from the responsible executive officers virtually all their authority over their employees. Not only that, but it divides this authority among three separate and distinct outside establishments, none of which is in any way responsible for the work done—the Bureau of the Budget, the Civil Service Commission, and a new Federal Wage Commission.

"All of these agencies, one of which is of course not yet in existence, are wholly lacking in experience in administrative matters. They do not pretend to know anything about the question of fixing salaries or efficiency ratings or personnel management.

"I am absolutely and irreconcilably opposed to the continuation of the \$240 bonus beyond the present fiscal year.

"I am in favor of a reclassification of Government salaries to be effective on the 1st day of next July, without any dodging and without any legislative phillandering whatsoever. I favor a reclassification by the heads of the departments, with only such outside supervision or intervention as is absolutely essential to the maintenance of uniform rates of pay between different offices.

"This is the worst time of all times to pass a fast and fixed statutory reclassification measure, and that is exactly what this thing is. When it is once passed we are surrendering, except by repeal or amendment, our right through legislation or through the Committee on Appropriations to fix or modify these salaries at any time.

"We no longer have a republican form of government. Ours, in fact, has degenerated or is rapidly degenerating into a bureaucratic government."

The Lobby Discusses the Lehlbach Reclassification Bill

Pro

NATIONAL WOMEN'S TRADE UNION LEAGUE

Miss Ethel M. Smith, Legislative Secty.

"The women in the civil service want a new order of things and they protest against the present conditions imposed upon them by Congress and the department heads. They want a new order in which the traditions that rate women's work at lower pay than men's because it is done by women shall be discarded for the standard that requires equal pay for corresponding work and equal opportunity for promotion, irrespective of sex. We want the bars let down before women to any and all positions now open to men and on equal terms with men. We look to Congress to correct the existing discriminations by means of the proposed reclassification law, and when I say that I mean the Sterling-Lehlbach bills, because both of those bills have a clause which says that the law shall be administered upon the principle of equal compensation and equal opportunity, irrespective of sex.

"At present there are 36,000 women employees in the departments in Washington, and 32,000 men. The women's average salary is \$200 less than the men's. There are women employed by the United States Government at \$10 a week, including the so-called 'war bonus.' There are large groups of women receiving less for skilled work than men receive for unskilled labor.

"Senator Smoot and Representative Wood, in their reclassification bills, not only do not provide for sex equality, but they begin their list of salary grades with a reduction in the pay of charwomen.

"Reclassification of the women employees of the Government requires the recognition of a principle other than that of the competitive standard, because the injustice has been existing so long that unless the Government, which has the power and which has the duty as an employer, sets up a standard of its own and does not merely follow the private employers, these things can not be rectified.

"Irrespective of what outside employers do, the Congress of the United States, which is the legislative body for a government which has amended its Constitution to provide equal political rights for women, can not, in decency, do less than see to it that women employed by that Government are paid for the work they do, the same that men are paid for the work they do, whether every private employer in the country does differently or not."

Con

REPORT OF U. S. BUREAU OF STANDARDS

In favor of the Sterling bill it is argued that the whole task of classification and supervision of the personnel, including the holding of examinations and supervision of appointments, should be handled by one agency, and the logical agency is the Civil Service Commission. In favor of the Wood-Smoot bill it is argued that there are two distinct functions to be performed, which have heretofore been handled by two separate agencies and this separation would better be continued. The question of classification of positions and specification of salaries is entirely distinct from the examination and rating of persons and their appointment and promotion. One has to do with the jobs and the proper salary scales, the other with the personnel. There is certainly much to be said in favor of continuing the present arrangement of two organizations rather than making so radical a change as would be involved in the Sterling bill. The Civil Service Commission has had nearly 40 years of experience in handling the personnel problem, and there is great opportunity to improve and develop its work if it can have a larger and stronger staff. It has had no experience in the work of reclassification, and to assume this work at once without a staff to handle it would be exceedingly difficult. The Bureau of Efficiency has been engaged for several years on this work and has developed a staff which could take up the task at once. To utilize both agencies, each for the part of the work it is best fitted to perform, seems better than to assign both tasks to either, to the exclusion of the other.

In the Sterling bill, the allocation of positions to classes and the specification of salaries is to be done by the Civil Service Commission, after consultation with the department heads. In the Wood-Smoot bill it is to be done by the head of each department and establishment, under rules and regulations promulgated by the President. It is understood that these rates would probably include a provision that the Bureau of Efficiency would be consulted in the allocation and fixing of salaries, in order to secure uniformity of practice in the various departments, and that any difference of opinion that could not be adjusted by conference would be referred to the President for decision. It appears logical for the department officers, who know the men, their work, and their usefulness, and the responsibilities they carry, to make the initial allocation and salary adjustments, rather than any agency that can not have such first-hand knowledge.

Pro

NATIONAL FEDERATION OF FEDERAL EMPLOYEES

Luther C. Steward, President.

"The first step in the achievement of our program is a scientific reclassification of the entire Federal civil service—and by reclassification we mean not merely a new list of salary rates, but a thorough overhauling of the entire wage-fixing system of the Government, according to the principles of equal pay for equal work, adequate pay for given work, and the classification and definition of positions on a basis of the work performed.

"We find such a reclassification provided in the Sterling, Lehlbach bills. Because the Sterling and Lehlbach bills provide for immediate extension of the classification to the entire field service, we advocate those measures.

"The Smoot-Wood bill is not a reclassification bill. It is merely a salary list of numbered grades of salaries, with a limited number of sample definitions of duties in a limited number of services. The only effect of such a bill would be a temporary adjustment of salaries for the limited number of positions and services affected. Since this measure leaves the allocating and promoting authority in the hands of the appointing officers without provision for coordination or review by any central agency, uniformity would be lacking and there would be nothing to prevent an almost immediate lapse into the same chaotic conditions that obtain at present—conditions due to the lack of definition of duties and qualification, the varying interpretations by and the varying policies of the department executives, and the lack of authority in the Civil Service Commission or any other agency to maintain standards of pay, of service, or of efficiency."

INSTITUTE FOR GOVERNMENT RESEARCH

Lewis Meriam.

"The trouble in the Government service at the present time is that there has not been any adequate machinery for considering Government salaries in relation to the economic conditions in general. The result is that you have a salary scale that is out of touch in the older bureaus with economic conditions on the outside, and you need some machinery so that salaries shall be taken care of, more or less contemporaneously with the changes in economic conditions.

"You can not adopt a system that will promote everybody, but you can recognize the distinction between promotion and advancement in salary, which is the principle that is recognized in these Lehlbach and Sterling bills.

"We need a terminology that will be uniform and that will be used both by the Budget bureau and by the Civil Service Commission and by the appointment officers throughout, a uniform terminology so that anybody seeing a title used can turn to our unabridged dictionary of classification and find out what the job is.

Con

THE NATIONAL HEALTH COUNCIL

While the terms of the Lehlbach bill are open to future construction, it appears that the bill in its present form would reduce the pay of medical men in the Public Health Service and disturb the present salaries and commutation privileges now granted to these officers, privileges which are similar to those in the Army and Navy.

The bill puts all civilian employees of the government into the eight groups: Under the first group are expressly included the following callings: Bacteriology, biology, chemistry, child hygiene, dentistry, dietetics, engineering, medicine, pathology, pharmacy, social economics, statistics, and therapeutics. Grade two would include those classes of positions, the duties of which are to perform under general direction "assigned professional work requiring professional training and previous experience but not the exercise of independent judgment." The compensation in this grade could be \$2100, \$2280, \$2460, and \$2640.

It would seem that many of the officers of the Public Health Service would fall in grade two. Owing to the character of work and present type of organization of the Public Health Service it must have a mobile corps of trained sanitarians available for quarantine and epidemic duty at any place where emergencies arise, as well as in the operation of its hospital system for disabled service men. It is believed by many that it would not be practical to classify an officer according to the duty performed; for, in the Public Health Service he might be performing one duty today and an entirely different one tomorrow. The requirements of the medical personnel of the Public Health Service are essentially the same as for the medical corps of the army and navy. An attempt is accordingly being made to have the Public Health Service exempted from the provisions of this bill.—*Extract from "Bi-Weekly Summary of National Health Legislation."*

U. S. BUREAU OF EFFICIENCY

Herbert D. Brown, Chief.

"The schedule contained in the Wood-Smoot bill, is based upon the assumption that it is impossible—considering the number of Government establishments and the great variety of Government employments, considering also the changes constantly occurring in the nature and the number of jobs in the various establishments of the Government—it is impossible to provide by law a schedule which will include every position in the Government service and take into account the innumerable differences which distinguish employments of various classes.

"The use of titles in a reclassification plan can be justified only where the titles employed accurately denote the character of the work done. Allocations can never be made by title, and the use of titles in a reclassification schedule would serve only to confuse the allocation of positions. Titles are not in any sense an aid to reclassification."—*Extract from speech delivered at Federal Club.*

LIST OF PUBLIC HEALTH AND EDUCATION BILLS AND RESOLUTIONS INTRODUCED
SINCE DECEMBER 5th, THE OPENING OF THE 2nd SESSION OF THE 67th CONGRESS

HEALTH

H. R. *To reorganize and to promote the efficiency of the United States Public Health Service.*
9291 *Introduced on December 5, 1921, by Representative Dyer of Missouri. *Referred to the Committee on Interstate and Foreign Commerce.

H. R. *To authorize the United States Public Health Service to render medical aid to the officers and seamen of the Coast and Geodetic Survey in the same manner that the Medical Corps of the Navy gives medical service to its officers and men. The bill provides further that when practicable, a medical officer be detailed to each of the vessels of the Coast and Geodetic Survey.*

Introduced on December 12, 1921, by Representative Winslow of Massachusetts. Referred to the Committee on Interstate and Foreign Commerce.

H. J. *That the President is authorized and requested to call a conference of maritime nations controlling and operating ocean shipping to consider the subject and enter into an agreement for 247 the control and regulation of the discharge of oil refuse into the waters of the world by the vessel under their control.*

Introduced on January 3, 1922, by Representative Hicks of New York. Referred to the Committee on Foreign Affairs.

H. Res. *To investigate rulings on the use of narcotic drugs for medicinal purposes.*

259 Introduced on January 4, 1922, by Representative Volk of New York. Referred to the Committee on Interstate and Foreign Commerce.

H. Res. *That the Speaker appoint a select committee of fifteen, and shall include therein all members of 258 the medical profession who are Members of the House, and that such committee be instructed to inquire into the subject of narcotic addiction in the United States, the method of handling these unfortunates, the medical addenda available regarding methods of treatment by private physicians, institutions, and sanitariums, the effectiveness of the present laws, rules, and regulations to control smuggling, trafficking, and abuse of narcotic drugs, and for the purpose of drafting legislation for the control of narcotic drug addiction.*

Introduced January 4, 1922, by Representative Volk of N. Y. Referred to the Committee on Rules.

H. R. *To reorganize and to promote the efficiency of the United States Public Health Service.*

9775 Introduced on January 6, 1922, by Representative Newton of Minnesota. Referred to the Committee on Interstate and Foreign Commerce.

S. *To appropriate money for the erection and equipment of a Government hospital for disabled 2948 former service men at Elkhorn Hot Springs, in Beaverhead County, Montana.*

Introduced on January 9, 1922 by Senator Myers of Montana. Referred to the Committee on Appropriations.

H. R. *To permit the use in the Post Office at Louisville, Kentucky, of special canceling stamps bearing 9936 the words "Public Health Exposition, Louisville, Kentucky, February 1 to 9, 1922."*

Introduced on January 16, 1922, by Representative Ogden of Kentucky. Referred to the Committee on the Post Office and Post Roads.

H. R. *Making appropriations for the Treasury Department for 1923. (This Bill provides \$9,832,- 9724 924 for the Maintenance of the U. S. Public Health Service; \$350,000 for Hospital Construction; and \$26,000 (in addition to \$14,000 previously appropriated) for Quarantine Stations.)*

Introduced January 4, 1922 by Representative Madden of Illinois. Reported from Committee on Appropriations. Passed House January 6, 1922. Referred to Senate Committee on Appropriations. *Reported from Committee and amended by Senate January 16, 1922. *Referred to Conferees of House and Senate. No further action to date. (January 26, 1922.)

EDUCATION

H. R. *To provide for the world-wide extension of education by the cooperation of national Govern- 9292 ments.*

Introduced on December 5, 1921, by Representative Gillett of Mass. (by request.) Referred to the Committee on Education. Bill identical to S. 2823 introduced in the Senate December 12, 1921, by Senator Keyes of New Hampshire. (by request.) Referred to the Committee on Education and Labor.

S. J. *Relative to payment of tuition for Indian children enrolled in Montana State public schools.*

Res. Introduced on December 12, 1921, by Senator Curtis of Kansas. Referred to the Committee on 140 Indian Affairs. Passed Senate, January 6, 1922. Reported to House Committee on Indian Affairs January 9, 1922. Reported by Committee to the House, January 12, 1922.

H. R. *Providing for the retention by the Government of the property in Nome, Alaska, known as the 9528 Detention Hospital Building, and its use by the Bureau of Education, Dept. of the Interior.*

Introduced on December 13, 1921, by Mr. Sutherland, delegate from Alaska. Referred to the Committee on Public Buildings and Grounds. Reported to House Committee on Indian Affairs January 9, 1922. Reported by Committee to the House, January 12, 1922.

*See The Glossary, Page 19.

HEALTH SECTION

PEYOTE—WHAT IT IS

By W. E. Johnson, Chief Special Officer for The Suppression of Liquor Traffic Among Indians 1906-1911.

"There is a little cactus growing on rocky ledges in certain parts of southwestern Texas and northern Mexico, known as peyote. It is about the size and shape of a small carrot. Its head just sticks above the surface. After the spring rains, a little purple flower develops. This, as the season progresses, develops into a little brown fuzz, resembling a caterpillar. Peyote is the Nahuatl Indian name for caterpillar, and it applies to this plant as a sort of nickname.

"About 30 years ago the Carizzo Indians, a small tribe, now obsolete, had their stamping ground in the lower Rio Grande. They had some mystic dances in which they chewed the dried tops of these peyote plants. These dried tops, at a distance, look like large black buttons. In this way locally they have been referred to as mescal buttons or mescal beans. Mescal is another Nahuatl word which got into the Mexican, and from that into the English, and very nearly corresponds to our word 'dope.' It is applied to most any southwestern plant that is poisonous or narcotic or anything that will make one wild, like the Mexican marahuana. Properly and specifically, however, mescal is the name for the product secured from pulque, the juice of the maguey, or century plant.

"Some of these Indians wandered as far north as to what is now Oklahoma, and there began explaining to the Indians these mystic peyote rites. This resulted in a committee of these Indians going to Laredo, Texas, in search of these same mystic plants. They found that the Mexicans of the lower class were accustomed to use these same things when green, as medicine. They would bind them on their heads for headache or applied them to almost any part of their body where there was a pain. Arrangements were made by the Indians with a company in Laredo, dealers in Mexican products, to supply peyote. In this way traffic sprang up. This company supplied the Indians and in turn got their supply from the vicinity of the inland town of Los Ojuelos, about 40 miles southeast of Laredo. The traffic reached such proportion in 1909 that the gathering of these peyote was almost the entire occupation of the people of this village.

"The company very skillfully preserved the secret. The Indians did not know where they came from, except that they got them from the company. The ignorant Mexicans did not know what they were for, and knew nothing except that they were purchased by the company. The company, as a sort of blind, would refer to them locally as Japanese beans. And the impression was out in the trade at Laredo that they were used by the Japanese for some medical purpose.

"These peyotes are narcotic in character. They are generally chewed, although they are sometimes steeped, and the tea therefrom drunk. They produce visions very much like opium, and they have a distinct effect on the nerves, somewhat like cocaine. I have known of several Indians being killed by eating them to excess.

"Around this peyote, a sort of religious cult was developed, churches were organized, and preachers appointed, and even some church buildings were erected. The peyote was used by the Indians for communion. They would eat a few peyotes and take one in their hand, and pray to it, or rather pray to God through the medium of the peyote. The vision produced by eating the peyote was the answer to their prayers. The effect generally of these practices was demoralizing and degrading. The cult spread rapidly. From 1905 complaints from Indian field officials became so numerous that I was directed by the Indian Bureau to suppress it if possible. I annihilated the whole peyote business, and for nearly a year there was no peyote to be had. I succeeded in this without any law, but by following 'rabbit-foot' practices. Finally, politics got into the situation in the department, and my work was ruined. The traffic was re-opened, and it is now making plenty of trouble among the numerous tribes of Indians. It is alleged by the Peyote chiefs that peyote is good because it weans them away from whisky. It does often wean them away from whisky, just as a man often quits whisky when he begins to use opium, cocaine, or morphine."—*Extract, 1913.*

History of Legislation Prohibiting the Use of Peyote

A federal measure to suppress the sale and use of peyote among the Indians was first introduced in Congress by Senator Gronna of South Dakota in 1914 in the 63rd Congress. It took the form of an amendment to the Indian Affairs bill for that year but failed to carry because of a lack of knowledge of the subject on the part of Congress.

The following year Representative Gandy of South Dakota introduced a bill which dealt directly with the peyote traffic. The bill died with the 64th Congress but was again introduced by Representative Gandy in the 65th Congress as H. R. 4999. In the same Congress Representative Hayden of Arizona introduced H. R. 2614 to amend sections of the Revised Statutes, which would prohibit the sale to Indians of peyote and other intoxicants. Extensive hearings on the Hayden bill were held before a subcommittee of the House Committee on Indian Affairs in February and March of 1918 at which both the proponents and opponents of peyote prohibition testified. The bill was subsequently reported favorably to the House (Report No. 560) but failed to pass in view of the national prohibition bill which covered the liquor provisions of the Hayden bill.

The following year in the 66th Congress Representative Hayden again introduced a bill, H. R. 1693, to suppress the sale and use of peyote. This bill was much briefer than H. R. 2614 and dealt directly with the peyote question. Representative Gandy also introduced a peyote prohibition bill in this Congress, H. R. 398. Without holding further public hearings, the Hayden bill was reported favorably by the House Committee on Indian Affairs and in May, 1920, passed the House of Representatives without a dissenting vote. A similar bill, S. 1862, had been introduced in the Senate and referred to the Senate Committee on Indian Affairs but it was not reported by the committee, and the peyote prohibition issue failed to reach the floor of the Senate.

Immediately upon the convening of the 67th Congress in April, 1921, Representative Hayden again introduced a bill, H. R. 2890, to prohibit the sale of peyote to Indians. The bill was referred to the House Committee on Indian Affairs where it lies today pending action by the committee. This is the only peyote prohibition bill pending in either branch of the present Congress.

The peyote issue however, was brought up before both the House and the Senate in the Indian Affairs bill for this year, H. R. 7848, which authorizes appropriations and expenditures for the administration of Indian affairs. Since it is an appropriation bill all legislative features contained in it are subject to a point of order under the rules of procedure. This bill carried the following clause for which an appropriation was asked:

"For the suppression of traffic in intoxicating liquor, peyote and other deleterious drugs."

By the inclusion of this one word "peyote" both branches of Congress were obliged to discuss directly the peyote issue. After a heated debate over the provision, the House of Representatives passed the bill retaining the clause, on August 9, 1921. It reached the Senate only to terminate in a brief debate. The clause was stricken out by motion of Senator Owen, and the Indian Affairs bill passed the Senate without the peyote provision. On November 2, 1921, the House concurred in the Senate action and the peyote clause was lost. Hope of peyote prohibition, in this Congress, now rests in the Hayden bill which is outlined below.

Outline of Hayden Bill

(H. R. 2890)

APPLICATION

Any person who shall sell, give away, dispose of, exchange, barter, or otherwise furnish peyote, or Indian hemp to any Indian to whom allotment of land has been made while title to same shall be held in trust by the Government, to any Indian a ward of the Government, or to any Indian, including Pueblos and mixed bloods, over whom or over whose property the Government, through its departments, exercises guardianship or supervision, whether a citizen or not, and any person who shall introduce or attempt to introduce into or convey or transport through the Indian country, or who shall have in possession, sell, give away, dispose of, exchange, or barter any peyote or Indian hemp, within the Indian country as herein described,

PENALTY

Shall be punished by imprisonment for more than sixty days, but less than one year, and by a fine of not less than \$100 or more than \$500 for the first offense: Provided, That the person convicted shall be committed until the fine and costs are paid.

Any person having been convicted of a second or subsequent offense under section 1 of this Act shall be punished by a fine of not less than \$200 or more than \$2,000 and by imprisonment for not less than six months or more than three years.

The Senate Discusses Legislation to Suppress the Use of Peyote

Pro

SENATOR CHARLES CURTIS, KANSAS

October 20, 1921.

"There has been no direct vote in the United States Senate on the question of prohibiting the use of peyote—the question was indirectly presented in the bill which originated in the House and was enacted to make certain items of appropriations for the Indian Service, in order. These various items had been carried in the appropriation bills for years, but there being no permanent law authorizing them, they were subject to a point of order. In the bill making them in order, the House added a new clause to the item for the suppression of traffic in intoxicating liquor the words 'Peyote and other deleterious drugs.' This item was opposed by a number of Senators because they claimed peyote was used in religious ceremonies by the Indians and they thought it unfair to designate it as a deleterious drug without giving the members an opportunity to consider the question in the committee.

"This question has been before the Committee on Indian Affairs many times. The committee has gone into this question very thoroughly. I made it a point on one or two occasions when visiting Indian reservations carefully to look into the effects of peyote upon the Indians. On some of the reservations the Indians use it entirely for religious purposes, and it has no bad effect upon them, while on other reservations they use it as a dope, and under its influence they are in dreamland all the time. Undoubtedly where the Indian acquires the habit and uses it constantly it has a bad effect. Those who are addicted to the use of it can be recognized by their appearance.

"The committee has heard delegation after delegation of Indians from reservations in Oklahoma and other States. The Committee on Indian Affairs of the Senate will in the future do as they have done in the past—give to the people interested a full and complete hearing on this question, if an appropriation for that purpose is asked. They always have done it and will do it."

Con

SENATOR ROBERT L. OWEN, OKLAHOMA

October 20, 1921.

"There is no existing legislation providing for the suppression of peyote as a deleterious drug. It is used in certain religious ceremonies by the Indians of Oklahoma. They are very much concerned about it, and have sent delegations here asking that peyote be not declared a deleterious drug, because that would forbid them to use it in their religious ceremonies. I understand that peyote could be made a deleterious drug by gross abuse, but that they do not use it in an injurious manner. To insert this language in the pending bill (Indian Appropriations) would be equivalent to an act of Congress declaring peyote to be a deleterious drug. The Indians in Oklahoma are very much opposed to that. They called upon me and asked me to bring the matter to the attention of the Senate. On numerous occasions the subject has been brought before Congress and the proposition to declare peyote a deleterious drug has never received a majority vote. Whenever this matter has come before the Committee on Indian Affairs that committee has always refused to declare peyote a deleterious drug.

"Peyote is a small button that grows on a species of the cactus which the Indians use in certain religious ceremonies which they hold. I do not believe it is (deleterious) although like anything else, I think it might be abused by an individual. If it is declared by Congress that it is a deleterious drug, and the Indian Office should suppress the religious observances of these Indians, I think it would be an unfortunate thing to do. I know how the people in my State feel about it. There are more Indians in Oklahoma than in all of the other States combined, and I know they are very sensitive about this matter.

"The committee which reported this bill to the Senate did not hear the Indians on the question of peyote. If they had done so, I believe they would have followed the uniform practice of committees heretofore which have refused to make a declaration that peyote is deleterious."

The House Discusses Legislation to Suppress the Use of Peyote

Pro

HON. CARL HAYDEN, ARIZONA,

August 4, 1921.

"I do not believe that anyone who has seriously studied the subject will deny that the Indians as wards of the Government should be protected against the use of peyote and other like drugs. I have seen an alleged peyote church in Oklahoma, and I have listened to intelligent and well-qualified witnesses who stated the facts which proved the evil effects which follow the use of peyote. Every authority in the United States, every organization that has at heart the best interest of the Indians, has pronounced against the use of peyote. The National Women's Christian Temperance Union, whose attention was first directed to this question by reports of the use of peyote by American soldiers stationed on the Rio Grande during the Mexican border troubles, has urged that legislation be passed to suppress its sale. The same is true of every other organization in the country that has examined into the facts. With such universal disapproval, I believe that Congress is fully justified in appropriating money for the suppression of the traffic in peyote and other deleterious drugs among the Indians.

"As a member of the Committee on Indian Affairs I listened to extended hearings on the question of the use of peyote and became fully convinced that it is a deleterious drug, the use of which should be prohibited. There is not an organization in the United States interested in the uplift of the Indians—and all of them have investigated the matter—that is not opposed to the use of this drug. Every superintendent of an Indian reservation where the Indians under his charges use this drug advises against it. Every physician in the Indian service condemns it. The Board of Indian Commissioners have reported against it. A bill to prohibit the use of peyote passed this House in a former Congress and a similar bill is pending before the Committee on Indian Affairs.

"The idea of making an intoxicating drug the basis of a religion is preposterous. One might as well use the sacrament as an excuse for drinking a gallon of wine to become intoxicated. This talk of religion is all a subterfuge. It is a bold attempt to perpetuate, under the guise of religion, the use of a drug that ought to be prohibited."

**Extracts from The Congressional Record.*

Con

HON. L. M. GENSMAN, OKLAHOMA

August 4, 1921.

"I come from a country that only 20 years ago was inhabited entirely by the Indians, except for a few Indian traders. I have been in a peyote church merely as a casual observer, having stepped in to see what they were doing. I have never seen anything going on there that could be criticised in reference to the peyote religion. I am acquainted with a great number of Indians whose ancestors brought their religion with them from the time of Cortez in Mexico, and they are just as proud and enjoy their religion just as much as you enjoy yours.

"The Indian's peyote religion is just as sacred to him as your religion is to you. We would all be better if we had more religion in our nature, and whatever religion you have, it is sacred to you, and it is as sacred to the Indian as to anyone else.

"Peyote is a little red root about the size of a radish, and is not the mescal and is not a part of the cactus plant. It is of the cactus family, but it grows in the ground in the arid country, coming up a very little bit above the ground. The Indian cuts the top of it off, and uses that in his religious ceremonies. I have no doubt if the gentleman took enough of these peyote beans and boiled them down and drank the fluid he would have certain hallucinations—at least some doctors think he would.

"I am not as familiar with religion as I might be, but I do know that right up here before the Indian Committee and before the President of the United States, I presented 20 Indians, two-thirds of whom were members of the peyote church. They are perfect specimens of humanity, as perfect as I ever saw in my life, and they all belonged to the peyote religion. As to the workings of the religion, I know as little about it as I do about Mohammedanism, but I do know that I have often on a morning gone by their tents and I have seen the Indians after they have been in there worshipping, and I never saw one of them intoxicated or acting in a disorderly fashion around or near a church tepee. They did not act or look as if there was anything wrong with them."

The Lobby Discusses Legislation to Suppress the Use of Peyote

Pro

MR. AND MRS. R. T. BONNIN

Sioux Tribe

"We make the following statements regarding the use of peyote among Indians:

"It excites the baser passions and is demoralizing—similar in its abnormal effects to that of opium, morphine, and cocaine.

"It creates false notions in the minds of the users, preventing sound logic and rational thought with which to meet the problems of their daily lives. Believing that peyote is the comforter sent by God, they reject the teachings of the church. Believing that peyote reveals the secret thoughts of man, and gives superhuman knowledge of the contents of books, they deprecate the necessity of schools. Believing peyote a cure-all for every human ailment, they ignore the advice and aid of physicians. Attending the weekly peyote meetings, they waste time, strength, and money, consequently neglecting their home and farms.

"It has spread with alarming rapidity within the last two years, and now has close to 50 per cent of the tribe.

"It appears that an unscrupulous organization, through its agents, is promoting the peyote cult, under a religious guise, solely for the easy money gotten from their superstitious victims.

"We do implore all earnest citizens of America for a Federal law to protect us against the traffic in and the indiscriminate use of peyote."

"I hereby vouch for the veracity of these statements, and do concur with Mr. and Mrs. Bonnin in imploring some Federal action against this great evil, peyote."

M. J. Hersey,
Episcopal Missionary.

DR. HARVEY W. WILEY

Chief, U. S. Bureau of Chemistry, 1883-1912.

"I desire to make an earnest plea to prohibit the use of this insidious drug among the American Indians. It is driving many of them to ruin. Its effects may be compared in some particulars to those of cocaine. The intoxication lasts from 24 to 48 hours and then gradually passes away. During its continuation the person is totally unfit for any useful purpose. It is a typically habit-forming drug and to those who indulge in it the desire for its use becomes uncontrollable. Its use can no more be regarded in the light of a religious rite than that of alcohol, morphine, or cocaine. Its entire prohibition would conserve the financial, physical, mental, and spiritual welfare of the Indians."

Con

FRANCIS LA FLESCHÉ

Omaha Indian

"When I went among the Osage people, some of the leaders of the peyote religion were anxious for me to attend their meetings, and wishing to know what effect this 'medicine,' as they called it, had upon each individual I accepted the invitation. This meeting, as well as others that I have been permitted to attend, was as orderly as any religious meeting I have seen in this and other cities.

"I am thoroughly convinced that these Indians are worshipping God in their own simple way; and if their religion is interfered with by the Government or anybody else, and it is suppressed, the consequences will be very grave.

"I do not know about the medicinal qualities of the peyote, whether it can cure consumption or any other disease that the human flesh is subject to, but there is one disease it has cured—the disease of drunkenness. Practically all of those of my people who have adopted the peyote religion do not drink. The peyote plant does much toward destroying the appetite for intoxicants. Moreover, any use of spirituous liquors is forbidden by the teachings of the new religion.

"I have a respect for the peyote religion, because it has saved my people from the degradation which was produced by the use of the fiery drinks white people manufacture."

ARTHUR BONNICASTLE

Osage Indian.

"The Osages have been using peyote for the last 15 or 16 years, and its use was taught to them by John Wilson. It is used in religious ceremonies and as medicine in cases of sickness, and the Osages thought that stopping the use of peyote among them would be an injustice, because they don't use it to excess and use it to good advantage—use it in religion and their prayers and in times of sickness, and they don't use it between times of religious meetings. It is a sacred plant to them, and it is scarce. They use it Saturday nights and Sunday, up until noon, and in times of sickness they don't use more than one, two, or three, which they boil, taking the tea therefrom. In their religious ceremonies, women are allowed to use not over five and the men seven of these peyotes. That is the Osage custom.

"It trains the mind to higher ideas in worshipping God. The principles laid down in the use of this peyote as it is taught in these meetings by the leader, teaches the Indians to do things that will lead to better life in worshipping the Almighty; that is, to train the mind to that end. I don't see any bad effects from its use."

Pro

BUREAU OF CATHOLIC INDIAN MISSIONS

William H. Ketcham, Director.

"The unanimous testimony of all the Catholic missionaries to the Indians, and, I believe, the testimony of the missionaries of other religious organizations working among the Indians, is to the effect that the use of peyote results in great mental, moral, and physical injury to the Indian people.

"I have received letters from the Indians begging that something be done to prevent the introduction of peyote among their people. My personal friendship for these tribes in particular and for the Indian people in general would incline me to indulge them in anything not harmful to them from which they derive, or imagine they derive, consolation and benefit, but having carefully studied the question for many years, my very friendship for them compels me to oppose the use of peyote and to express the hope that the Government may intervene to suppress the noxious traffic and habit."

EDGAR B. MERRITT,

Asst. Commissioner of Indian Affairs, 1918.

"We are asking that peyote be placed on the same footing as liquor. Peyote is an article used among many of the Indian tribes of the United States, and its habitual use must be classed with the habitual use of drugs, such as morphine or cocaine, though the substance is not so dangerous.

"The Department of Agriculture has regarded the article sufficiently dangerous to prohibit under the pure food and drug act its importation into this country. However, this is not sufficient, for the reason that the article is also grown on our side of the Rio Grande, and therefore is available for the Indians.

"Recent statements indicate that the use of this article is on the increase and that there is danger of its being taken up by the whites."

HENRY LLOYD, M. D.

Indian Agency Physician, 1916.

"As to the effect of the drug peyote on the Ute Indians, I can now say, after two years of observation, that it has done more harm to them in more different ways than whisky, gambling, or any other influence. Its physical effect is appalling. Its harmful effects are most noticeable on those who are already weak and depressed from disease.

"The effect of peyote on the morals of these Indians is beginning to be decidedly noticeable. Several recent separations of husband and wife who had lived contentedly together for years may be traced to the use of this drug. A number of young girls, some of whom had been attending school, have gone to the bad under the influence of peyote.

"The pretense of religious rite connected with its use is a travesty. The Sioux Indian who introduced it here is proven by the testimony of a reliable Sioux, Standing Bear, to be a thief and a suspected murderer."

Con

JOCK B. BEAR,

Arapahoe Indian Chief.

"I have used the peyote bean for the last 32 years and am now 54 years old, and I have six children, all grown and married, and I am the grandfather of 10 grandchildren. I have eaten from 12 to 30 peyotes at different times and did not see such things as big cats, big snakes, big centipedes, and such things, that are dangerous or very laughable to human beings.

"Our meetings consist of prayers and testimonies by the members and all those who are present. Singing is also a part of the ceremony and the members worship Almighty God, the One we must trust and obey. The service lasts in this manner all night or until morning. Everything is carried on in a nice respectable manner.

"Instead of trying to suppress the use of peyote among the Indians it is better to encourage its use as a means of combating the liquor habit and to make them be better Indians. I do not pretend to be a preacher among the Indians, but only trying to help them to better things, good behavior, and telling them our tradition of the many past generations, keeping alive our unwritten book.

"In 1913 I was in charge of a peyote meeting for Indians in Nebraska, and a minister attended our meeting and brought his Bible with him and read some of the Scriptures to help along the meeting; he himself took eight peyotes during the meeting.

"We do not think Congress should pass any law to prohibit peyote religion of the Indian race to destroy that religion, as we feel we are guaranteed freedom of religious worship under the Constitution of the United States."

CHARLES LONE WOLF

Kiowa Indian.

"All the peyote meetings are religious meetings, and they use that in connection with their meetings; and other Indians, they use it for medicine. I use it when I come to a problem that I cannot understand. I take enough to sharpen my mind so I can see into things that I could not begin to see with my common mind.

"I speak from personal knowledge; not from what anybody else tells me or anything of that kind. I have used it for 18 years and I know what I am talking about, and it has not killed me yet, and you can see me; I am not sick from using it. It made me a better man. The Almighty God has given that plant to us and we ought to have it."

Pro

F. H. DAIKER,

U. S. Bureau of Indian Affairs.

"The reports that we are receiving indicate that the use of peyote is on the increase. Some claim it is used in connection with a religious service. The reports we have received are to the contrary and indicate that the religious service is held whenever they want to use peyote. It also has an effect upon the moral phase of the situation. From the correspondence we have, from reports made by superintendents of Indian agencies, and from investigations made by Dr. Wiley, Dr. Morgan, Dr. Prentiss, Dr. Elwell, Dr. Hrdlicka and gentlemen of that class, as well as scientists and professional men, we consider it a dangerous article.

"The Indians have claimed that by using peyote they do not use whiskey; that is, that peyote destroys the taste for whiskey. However, our reports show that is not true. Where Indians use peyote they also use whiskey, and sometimes they quit peyote and used whiskey altogether."

THE INDIAN RIGHTS ASSOCIATION

Annual Report, 1916.

"Judging from the results of efforts heretofore made to suppress its use the devotees of peyote evidently maintain lobbyists to oppose legislation intended to place a ban on the drug. It is urged by the Indians who are addicted to the peyote habit that the drug is used in their religious ceremonies and therefore no interdiction should be promulgated regarding its use, since such an effort would be to deny to the cult, freedom of religion, in violation of the Constitution. If that view is accepted, any vicious practice or use of drugs which undermines the morals and health, may be upheld with equal force if it is associated in any manner with so-called religious ceremonies. The baneful effects upon the followers are soon apparent. The successful farmer neglects his fields and home; his health is often affected, and interest is lost in the things that tend to better living. Several deaths are reported as directly traceable to the habit.

"From a moral and religious standpoint the effect of peyote is even more apparent. Its followers seem to abandon Christian teaching, and in their frequent nightly gatherings indulge in excesses through the midnight hour in which men and women participate. It is claimed that in the nocturnal debauches there is often a total abandon of virtue, especially among the women. Many Indians are appealing for legislation restricting the importation and use of peyote."

Con

THOMAS L. SLOAN,

Attorney, Omaha Tribe.

"The effect of the use of peyote among the Omahas has been to make a large number of drunkards decent, sober, honest men. The same is true of the Winnebagoes. I have attended at least three meetings, going through the regular ceremony from 9 o'clock at night until daylight the next morning. I have used the peyote in the same manner as the Indians to whom it was given by the leader of the meeting. One night I ate 14 pieces of the peyote. Eating peyote had the same effect on me as drinking strong tea.

"It has been reported that there was some immorality connected with the ceremony. I am convinced that there is nothing of the kind. The old-time medicine men are opposed to the use of peyote. They are some of the persons who make detrimental remarks and spread rumors against it. I am told by the older users of peyote that they do not acquire a desire or craving for it, such as takes hold of users of liquor and tobacco."

BLACKDOG, CLAREMONT AND LOCAL LODGES

Osage Indians.

"We ask that no legislation be enacted prohibiting the members of our tribe using peyote in their religious ceremonies. The lodges among the Osages use peyote in the same manner and with the same purpose in view that wine is used among Christian denominations. Since its use by the Osages it can be shown that those who use it are better men and women, both physically, mentally, and morally, and that they are more industrious than those who do not use it; that a large number of Indians who formerly used whisky to excess have been reformed by becoming members of one of the lodges and have become good and upright citizens. Peyote has been used in religious ceremonies among the Osages for many years, and any attempt at this time to interfere with its use for that purpose would create much discontent and dissatisfaction, and would be considered by the Indians as an unwarrantable interference with their freedom of religion. It is on record in the Indian Office that the use of peyote in religious ceremonies of the Osages has had a tendency to reclaim a great many Indians who were addicted to the use of liquor, and who have since become industrious, honest, and reliable men and women."

QUERY COLUMN

Answers by HON. WM. TYLER PAGE,
Clerk of the House of Representatives of the United States Congress.

In this Department Mr. Page Answers Inquiries Submitted to the Magazine on Legislative Procedure in Congress.

Query—"What is meant by a 'Caucus,?'"

Answer—A Caucus is a meeting of the adherents of a political party to name a candidate for office or to agree upon lines of party policy.

The Caucus is said to have originated in Boston in the early part of the Eighteenth Century. It is supposed to have derived its name from the meetings of the Calkers connected with the shipping business in the North End. From these local meetings the custom grew and carried the name with it until after the institution of the Federal Government, when it was applied to the Congressional meetings which nominated candidates for the Presidency and Vice Presidency of the United States. This custom obtained until 1824. In 1828 nominations were made by State Legislatures, and in 1831 the system of nominating by conventions came into use.

In some parts of the country, where primary election laws have not taken its place, the Caucus still obtains.

In Congress the "Conference" has taken the place of the Caucus, except that the Democratic party in the House continues its use to determine party policy as well as to choose nominees for elective offices. That party continues to have what is called the "binding Caucus, or, in other words, one whose edict by a majority vote binds all of the participating members to support the policy agreed to by the majority, except that the Democratic Caucus rules excuse members of the minority whose objection is on Constitutional grounds or who are acting under instructions from their State authorities which they feel bound to observe.

The binding Caucus was an established institution in the House in both great political parties until, following the defeat of the Republican party in 1910, it was abandoned by that party and the Conference substituted. Since then a majority vote has not been binding upon those voting in the minority.

Query—"What is meant by a 'Party Whip'?"

Answer—A term or designation applied in a legislative body to a member who is selected in party conference or caucus as the recognized spokesman of the party to procure the attendance of members of his party when an important vote is to be taken and to keep the members of his party informed of the party program and to arrange pairs for his absent colleagues. Literally and actually it meant, when first applied twenty years ago, the whipping into line of stubborn and recalcitrant members of the party who evinced disinclination to support a party measure. The Whip's business was to sound out sentiment and report his findings to the leaders. If it appeared that certain members were reticent or openly opposed to a given proposition it was the duty of the whip to bring such members into line to support the proposition. He must be adroit and tactful and be acquainted with the men and their ambitions and desires, and when pacific methods failed he was supposed to apply the lash of the party whip. When this failed in any considerable number of instances, he would give a detailed account of the "line up" to the leaders and a binding caucus would follow. But now the chief function of the 'Whip' is to summon absentees by wire and by printed "whip notices" simply urging their attendance at a certain time when a measure of importance is expected to be taken up and when the vote on it may be reached.

Query—"Do Appropriation Bills Enact Laws?"

Answer—An appropriation bill for the support of one or the other branches of the Government is supposed merely to appropriate money in accordance with existing law authorizing such appropriations, and not to contain legislation. An Appropriation Act is for one fiscal year only, and, for the time being, is law. Both Houses of Congress have strict rules against legislation in appropriation bills. Such provisions are called "riders."

It being essential to pass appropriation bills for the support of the Government they have been used as vehicles for general legislative provisions, or "riders," such provisions "riding" into the law books on an appropriation bill. The "rider" is somewhat of an encroachment on the independence of the executive, who must either approve and sign a bill entire, or veto it. Pending in Congress are proposed Constitutional Amendments empowering the President to veto separate parts of bills.

Under the present House rules, adopted in conjunction with the new Budget System, the enlarged Committee on Appropriations has exclusive appropriating jurisdiction, but has not legislative jurisdiction. Other committees have legislative jurisdiction only. This system is fast making for the elimination of legislation on appropriation bills, and the Senate, which is studying the House system, will likely adjust itself to the new order of things.

It should be said that a change of existing law on an appropriation bill is permissible in the House if it retrenches expenditures.

THE GLOSSARY

By HON. WM. TYLER PAGE

Clerk of the House of Representatives of the United States Congress

AN EXPLANATION OF THE LEGISLATIVE TERMS APPEARING IN THIS NUMBER

A BILL

A legislative proposition of the superior class is designated "A Bill," as distinguished from resolutions. When a bill is finally enacted it is then called "An Act." This also is true officially of a bill that has passed but one of the two Houses of Congress; but the term "bill" usually follows a measure throughout its legislative processes to final approval by the President, when it becomes "An Act" and is so designated in the compiled statutes.

PUBLIC BILLS

relate to public matters and deal with individuals only by classes. Bills relating to the revenue, to the tariff, to appropriations, to public lands, to the courts, etc., are classed as public bills. And, under the House practice, these are divided into two classes: (a) directly or indirectly appropriating money or property. (b) not raising revenue nor directly or indirectly appropriating money or property. The character of public bills determines the method of their consideration.

A PRIVATE BILL

is a bill for the relief of one or several specified persons, corporations, institutions, etc. The line of distinction between public and private bills is difficult to define in many cases. It has been the practice in Congress to consider as private such as are "for the interest of individuals, public companies or corporations, a parish, city, county, or other locality."

APPROPRIATION BILLS

known as general appropriation bills, twelve in number, appropriate revenue for the support of the Government. These bills have certain privileged status to insure their prompt consideration. See paragraph 3, page —.

REVENUE BILLS

are bills raising revenue, such as the various Liberty and Victory Loan Acts, the war revenue acts, the recently enacted revenue bill and tariff bills. These, too, are privileged bills in the House.

A BILL IS INTRODUCED WHEN IT IS PRESENTED TO

the Senate or the House of Representatives. The rules of the House require that the bill merely be dropped in a basket beside the desk of the Speaker while the House is in session. The rules of the Senate require that a Senator, when introducing a bill, arise and verbally announce his intention and the subject of the bill, after which a page boy takes the bill to the desk of the Vice President, who is presiding officer of the Senate.

A BILL IS REFERRED TO COMMITTEE

having jurisdiction of the subject matter. Reference is made in the case of public bills by the speaker and in the case of private bills by the clerk.

A BILL IS AMENDED

when it is changed in any particular, either in committee or while the bill is under discussion on the floor of either House. Committees may recommend amendments but the House must agree to them before they become a part of the bill.

A BILL IS PASSED

when either House finally votes to pass it. When passed by one House it is sent to the other.

A BILL IS IN CONFERENCE

when it is turned over to a joint committee of the two Houses, known as a Conference Committee. This occurs when neither House will accept the bill or Act in the form in which it has been passed by the other. The conference committee's task is to iron out the differences in the two measures and to effect a compromise acceptable to both Houses. Usually the conference committee succeeds but sometimes one House or the other rejects its work. In this event the bill either fails entirely or is again worked over until it is in such shape as to be acceptable to both Houses.

A RESOLUTION

serves the purpose of one House or the other in matters of interest to the House in which it is employed. A House Resolution is designated thus—H. Res. 1, etc. A Senate Resolution is designated S. Res. 1, etc.

A JOINT RESOLUTION

is a development of modern practice which does not differ in any respect from a bill so far as the processes of Congress in its consideration are concerned. It must pass through the same travail to which a bill is subjected, except in the case of a joint resolution proposing to amend the Constitution, which does not require the approval of the President. The only real difference between a bill and a joint resolution is in the name.

COMMITTEES OF THE SENATE AND HOUSE

are necessary in order to expedite the work of Congress. There are sixty-two committees of the House and thirty-three in the Senate. The chairman and a majority of the members of a committee are always members of the party in control of the House of which the committee is a part.

COMMITTEE HEARINGS

are opportunities offered proponents and opponents of a bill to furnish the committee with information and views concerning the necessity or effect of the bill it is considering. Sometimes, as is frequently the case with bills affecting the executive departments, committees hold secret hearings, but in most instances the hearings are public. Official stenographers make reports of these hearings which are afterwards printed for the use of the committee.

COMMITTEE REPORTS

are recommendations made by committees to the House or Senate concerning the bill which has been referred to them. The rules of the House require that committee reports be made in writing. In the Senate Committees may report either verbally or in writing. In a majority of instances the bill, as reported by the committee, has been changed to a greater or less degree, from the form in which it was originally introduced.

THE LEGISLATIVE CALENDAR

is the printed list of bills in the order of their report from committee. In ordinary circumstances the calendar is followed, but bills of special importance are frequently placed at the top of the list and thereby gain precedence. The leaders of the controlling political party in each House determine whether a bill is to be given precedence.

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